

GS 0445 A US

#10/B
DN
10/7/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of]

Michael REUSCHEL et al.]

Serial No.: 09/945,543]

Filing Date: September 2, 2001]

For: CONTROL APPARATUS AND METHOD]
FOR CONTROLLING DRIVE TRAIN]
COMPONENTS]

Group Art Unit 3681

Examiner: R. Pang

ELECTION OF SPECIES AND AMENDMENTCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated September 4, 2003 (Paper No. 9), in which the examiner imposed an election requirement, applicants provisionally elect, with traverse, for prosecution on the merits the species identified in the Office Action as "Control Method 1: Fig 1." The claims believed to be readable on the provisionally elected species are claims 1 through 40.

It is believed that because all of the claims are readable on the provisionally elected species, and because, as the examiner has acknowledged, claims 1 through 4 and 6 through 8 are generic to each of the species, all the claims should be considered together and in a single application. Additionally, th

GS 0445 A US

method shown in Figur 1 includes method steps shown in Figure 2, thereby rendering each of the methods identified by the examiner to be sufficiently related as to warrant examination together and in a single application.

AMENDMENT

Claims 13, 14, and 27 are amended, and the claims as they presently stand in this application are presented on the attached pages 3 through 17 to correct minor informalities.

Based upon the foregoing, it is respectfully requested that the election requirement be reconsidered and that it be withdrawn. Early and favorable action on the merits of this application is respectfully requested.

The examiner is cordially invited to telephone the undersigned attorney if this Election of Species raises any questions, so that any such question can be quickly resolved in order that the present application can proceed toward allowance.

OFFICIAL

October 4, 2003

**RECEIVED
CENTRAL FAX CENTER**

OCT 06 2003

Respectfully submitted,



Alfred J. Mangels
Reg. No. 22,605
4729 Cornell Road
Cincinnati, Ohio 45241
Telephone: (513) 469-0470